

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

RICHARD LAMAR CARTER  
GEORGE HOWELL  
VERNON CHARLES SMITH  
GLORIA BUTLER  
DANNY KIRKLAND  
ROBERT ROLLINS

Plaintiffs,

v.

CSX TRANSPORTATION, INC.,

Defendant.

CIVIL ACTION NO.: CV590-276  
CV590-273  
CV590-278  
CV591-005  
CV591-019  
CV597-076

**ORDER**

Defendant has filed Objections to the testimony of Richard A. Lemen, Ph.D. (Carter doc. 141.) Defendant's objections are based on the assertion that Dr. Lemen proposes to testify with regard to areas outside of his areas of expertise. The Court presumes that the Plaintiffs intend to have Dr. Lemen testify live at trial. Defendant's objection is **sustained**. Dr. Lemen will not be allowed to testify as to matters outside of his areas of expertise. However, the Court can not, at this time, determine the admissibility of specific questions which may be posed to Dr. Lemen at trial.

SO ORDERED, this 9<sup>th</sup> day of December, 2005.

  
JAMES E. GRAHAM  
UNITED STATES MAGISTRATE JUDGE